

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TERRANCE WONGUS	:	
	:	
v.	:	CIVIL ACTION NO. 16-5081
	:	
CITY OF PHILADELPHIA	:	
POLICE OFFICER CHRISTOPHER	:	
HULMES	:	

ORDER

AND NOW, this 13th day of October, 2016, upon consideration of plaintiff's motion to proceed *in forma pauperis* and his *pro se* complaint, it is hereby **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Plaintiff Terrance Wongus, #BW-7518, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by plaintiff, an initial partial filing fee of \$15.42 is assessed. The Superintendent or other appropriate official at the State Correctional Institution at Graterford or at any other prison at which plaintiff may be incarcerated is directed to deduct \$15.42 from plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 16-5081. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at the State Correctional Institution at Graterford or at any other prison at which plaintiff may be incarcerated, shall deduct from plaintiff's account, each time that plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the

money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 16-5081.

3. The Clerk of Court is **DIRECTED** to send a copy of this order to the Superintendent of the State Correctional Institution at Graterford.

4. The complaint is **DISMISSED** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum. Plaintiff's claims that are based on challenges to his convictions and related imprisonment are **DISMISSED WITHOUT PREJUDICE** to him filing a petition for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2254 or filing a new civil action in the event those convictions are overturned or otherwise called into question.

5. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.